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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/786,045	02/28/2001	Werner Vogt	P/4319-17	6837
2352	7590	06/03/2005	EXAMINER	
OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403			KOCH, GEORGE R	
			ART UNIT	PAPER NUMBER
			1734	

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.:

09/786,045

Applicant(s)

VOGT, WERNER

Examiner

George R. Koch III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 12-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-24 is/are allowed.
- 6) ☒ Claim(s) 12 and 13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 12-13 are rejected under 35 U.S.C. 102(b) as being anticipated by DE - 92,18,985 (See translation).

DE-92,18.985 discloses a method for producing a card shaped information carrier involving covering the surface of a card size region of blank material with a transparent layer (see Claim 1). The layer is pressed onto the surface of the card while being subjected to heat and pressure simultaneously (claim 6). For positioning and receiving the card to be laminated, DE-92,18,985 further discloses a hollow mold-like frame that can be placed on base plate for receiving cards or templates to be laminated and a top plate that can be set on the card in the frame (see claim 10, for example). The frame has internal dimensions that roughly correspond to the final dimension of the carrier (see Figure 2). Furthermore, DE-92,18,985 discloses that the surfaces of the mold facing the card are highly polished metallic surfaces (see translated claim 11, and page 11, lines 11-13) or protective coating surfaces. Both highly polished metallic surfaces and protective coating surfaces would result in the heat flowing off the card are reflected back and concentrated onto the template. Additionally, there would be less heat conducting and retaining the heat and blocking some of the heat from exiting the

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mold due to the reflecting property (see especially page 8, lines 3-11, which disclose that the heat remains in the mold).

As to claim 13, DE-92,18,985 discloses that the laminate template includes a plurality of sized card layers (best seen in Figure 2, elements 6 and 5).

***Allowable Subject Matter***

3. Claims 14-24 are allowed.

4. The following is an examiner's statement of reasons for allowance: Applicant's appeal brief, filed 3/7/2005, is persuasive. Each element of the claims are disclosed in the references. However, there is no suggestion in the references to combine a frame that is one of substantially non heat conducting, reflects heat, and concentrates heat back onto the laminate with a frame that has a reduction in material in a transitional edge region in order to increase specific contact pressure between the frame border and upper heating plate. DE 92 18 985 does disclose a reflective frame, but lacks the transitional edge region. Honda does disclose the transitional edge region, but lacks the frame that is one of substantially non heat conducting, reflects heat, and concentrates heat back on the laminate. Okada discloses a frame that lacks either of these elements. Applicant's arguments that the references would only be combined in hindsight are persuasive.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Response to Arguments***

5. Applicant's arguments, see Appeal Brief, filed 3/7/2005, with respect to claims 14-24 have been fully considered and are persuasive. The rejection of claims 14-24 has been withdrawn.

6. Applicant's arguments with respect to claims 12 and 13 have been considered but are moot in view of the new ground(s) of rejection based on the translation of DE 92 18 985. DE 92 18 985 discloses that the interior surfaces are highly polished metallic surfaces, which would be a material that is one of substantially non heat conducting, reflects heat, and concentrates heat back.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George R. Koch III whose telephone number is (571) 272-1230 (TDD only). If the applicant cannot make a direct TDD-to-TDD call, the applicant can communicate by calling the Federal Relay Service at 1-866-377-8642 and giving the operator the above TDD number. The examiner can normally be reached on M-Th 10-7.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Fiorilla can be reached on (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "G. Koch III", with a stylized flourish at the end.

George R. Koch III  
Patent Examiner  
Art Unit 1734

GRK  
5/31/2005